

## COSMETOLOGICAL ESTABLISHMENTS REGULATIONS

### **NAC 644.307 Lease of space to certain persons.** ([NRS 644.110](#), [644.360](#))

1. Except as otherwise provided in [NRS 644.360](#), if the operator of a cosmetological establishment leases space at his or her establishment to a person to engage in an activity that is not under the jurisdiction of the Board, including, without limitation, tattooing, body piercing and massage therapy, the leased space must:

(a) Be separated from the establishment by a door that can be locked and surrounding walls that are at least 6 feet high;

(b) Be located on a floor different from the floor on which the cosmetological establishment is located; or

(c) Be otherwise located and have sufficient signage to avoid creating the impression that the space is a part of the cosmetological establishment.

2. As used in this section, "space" has the meaning ascribed to it in [NRS 644.360](#).

(Added to NAC by Bd. of Cosmetology, eff. 6-18-91; A by R099-97, 2-25-98; R092-06, 9-18-2006; R030-08, 9-18-2008; R064-15, 12-21-2015)

### **NAC 644.308 Requirements for certain lessees.** ([NRS 644.110](#), [644.360](#))

1. A licensed cosmetologist, aesthetician, electrologist, hair designer, demonstrator of cosmetics, shampoo technologist, makeup artist, person who engages in the practice of threading or nail technologist who leases space from an operator of a cosmetological establishment shall comply with the applicable provisions of [NAC 644.310](#) to [644.385](#), inclusive.

2. Each operator of a cosmetological establishment who leases space to a barber, any other professional, including, without limitation, a provider of health care, or any other person shall make the person aware of the requirements set forth in [NAC 644.310](#) to [644.385](#), inclusive.

(Added to NAC by Bd. of Cosmetology, eff. 6-18-91; A by R029-02, 7-19-2002; R092-06, 9-18-2006; R030-08, 9-18-2008; R064-15, 12-21-2015)

**NAC 644.309 Inspection of establishment.** ([NRS 644.110](#)) Any staff member of the Board assigned to perform inspections of cosmetological establishments may open, without limitation, any door, drawer or closure of any kind, with or without the permission of the owner, a supervisor or any employee of a cosmetological establishment, to inspect any area within the establishment. The staff member of the Board who performs such an inspection shall use his or her discretion to avoid entering a treatment room where a client requires privacy to receive a cosmetology service allowed by law. The refusal by an owner, supervisor or licensee to open any locked area within the licensed area of a cosmetological establishment is a ground for disciplinary action by the Board.

(Added to NAC by Bd. of Cosmetology by R064-15, eff. 12-21-2015)

## CONDITIONS AND PROCEDURES FOR PRACTICE

**NAC 644.310 Drinking cups and facilities.** ([NRS 644.110](#), [644.120](#)) Each cosmetological establishment or school of cosmetology shall provide disposable cups, where applicable, for the use of patrons and employees. Drinking fountains, coolers and refreshment centers must be located in a clean and sanitary place and must not be located in the restrooms.

[Bd. of Cosmetology, No. 14.4, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92)

**NAC 644.313 Disposal of waste.** ([NRS 644.110](#), [644.120](#)) In each cosmetological establishment and school of cosmetology:

1. All chemical waste material must be deposited in a closed container and disposed of in a fire-retardant container at the close of business each day.

2. All other waste must be deposited immediately in waste disposal containers which, unless they are located near a reception desk or in an office or restroom, must be covered at all times.

3. Waste disposal containers must be kept clean.

4. Any disposable material which comes into contact with blood or other bodily fluids, such as discharge from pustules, pimples and sebaceous glands, must be disposed of in a sealable plastic bag or in a manner that not only protects the licensee and the client but also others who may come into contact with the material in the future, such as sanitation workers.

5. To prevent the possible spread of any blood-borne disease or virus, any disposable sharp objects that come in contact with blood or other bodily fluids must be disposed of in a sealable rigid container that is strong enough to protect the licensee, clients and others who may come into contact with the materials in the future from accidental cuts or puncture wounds.

(Added to NAC by Bd. of Cosmetology, eff. 5-15-92; A by R030-08, 9-18-2008)

**NAC 644.315 Exhaust systems.** ([NRS 644.110](#), [644.120](#)) Each cosmetological establishment and school of cosmetology and each room or residence used as a cosmetological establishment must have a mechanical system for exhaust acceptable to the Board.

[Bd. of Cosmetology, No. 14.6, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R064-15, 12-21-2015)

**NAC 644.320 Restrooms.** ([NRS 644.110](#), [644.120](#))

1. Each cosmetological establishment or school of cosmetology must have fully operable toilets which are accessible to clients and employees. Each area in which a toilet is located must have a sink with an adequate and readily available supply of hot and cold running water at all times and a mechanical exhaust system for ventilation which completely circulates the air. If the restrooms for the cosmetological establishment are located outside of the cosmetological establishment, the restrooms must be:

(a) In plain view or clearly marked with appropriate signs, and

(b) Located within 100 feet of the entrance of the cosmetological establishment and under the same roof as the cosmetological establishment.

2. The floor covering in each restroom located in a cosmetological establishment or school of cosmetology must be made of a washable material which is not porous or absorbent.

[Bd. of Cosmetology, No. 14.16, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R099-97, 2-25-98; R029-02, 7-19-2002; R064-15, 12-21-2015)

**NAC 644.325 Walls, floors, ceilings, furnishings, equipment and fixtures.** ([NRS 644.110](#), [644.120](#)) In each cosmetological establishment or school of cosmetology:

1. All floors in restrooms and areas where hair is cut, shampooed or styled must be of a washable material which is not porous or absorbent. Carpeting is allowed in all other areas of the cosmetological establishment or school of cosmetology, including, without limitation, reception areas and areas for manicuring and aesthetics.

2. All walls within a cosmetological establishment or school of cosmetology must be of a washable material which is not porous or absorbent.

3. All walls, floors, woodwork, ceilings, furnishings, equipment and fixtures must be kept clean and in good repair.

4. Clippings of hair must not be allowed to accumulate and must be disposed of in a covered waste receptacle immediately after the hair is cut.

5. Refuse and waste must not be allowed to accumulate.

[Bd. of Cosmetology, No. 14.17, eff. 12-3-80] — (NAC A 3-26-82; 10-16-87; 5-15-92; R029-02, 7-19-2002; R030-08, 9-18-2008; R064-15, 12-21-2015)

**NAC 644.330 Plumbing; dispensary sink; floor coverings.** ([NRS 644.110](#), [644.120](#))

1. Each cosmetological establishment or school of cosmetology must have suitable permanent plumbing which provides an adequate and readily available supply of hot and cold running water at all times and is permanently connected for drainage of sewage and potable water within the areas where work is performed and supplies dispensed.

2. Each cosmetological establishment or school of cosmetology must contain a dispensary sink.

3. The floor coverings within a distance from all exposed sides of a sink, pedicure spa or dispensary sink that is the same distance as the width of the sink, pedicure spa or dispensary sink must be made of a washable material which is not porous or absorbent.

[Bd. of Cosmetology, No. 14.18, eff. 12-3-80] — (NAC A 5-13-82; 10-16-87; 5-15-92; R099-97, 2-25-98; R029-02, 7-19-2002; R064-15, 12-21-2015)

**NAC 644.335 Headrests; shampoo bowls; towels and linens; neck strips; treatment tables; disposal of certain instruments and supplies; brushes.** ([NRS 644.110](#), [644.120](#)) In each cosmetological establishment or school of cosmetology:

1. The headrest of each chair must be covered with a clean towel or paper sheet for each client.

2. The part of a shampoo bowl on which a client's neck rests must be covered with a clean towel during each shampoo. The bowls must be carefully washed and be disinfected with a disinfectant that is registered with the United States Environmental Protection Agency, and all loose hair must be removed from the drains after each use.

3. After a towel or linen has been used once, it must be deposited in a receptacle provided for soiled towels and linens, must not be stored in any restroom, and must not be used again until properly laundered. All towels must be washed with detergent on the hot wash cycle and dried until hot to the touch after each use. After being washed, towels must be kept in closed, dust-free cabinets.

4. Sanitary neck strips or towels must be used between the neck of the client and the cape to prevent all coverings from coming into direct contact with the client. Proper draping of towels must be used for all services, except that single-use paper neck strips made specifically for such use may be used for dry services.

5. Treatment tables must be disinfected after each use with a disinfectant.

6. All instruments and supplies, including, without limitation, neck strips, nail files and buffers, that come into direct contact with a client and cannot subsequently be disinfected must be disposed of in a waste receptacle immediately following their use.

7. Neck dusters and all other brushes used on a client must be maintained in a clean and disinfected condition.

[Bd. of Cosmetology, Nos. 14.8, 14.11 & 14.15, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R099-97, 2-25-98; R029-02, 7-19-2002; R064-15, 12-21-2015)

**NAC 644.337 Foot spas.** ([NRS 644.110](#), [644.120](#)) A licensee who uses a foot spa for the delivery of cosmetology services must:

1. Before performing foot spa services:

(a) Check the condition of the client's feet and legs and, if open sores or skin wounds are present, including, without limitation, insect bites, scratches, scabbed-over wounds or any condition that weakens the skin barrier, explain to the client why he or she should not use the foot spa; and

(b) Not perform any procedure that risks damage to a client's skin, including, without limitation, pedicures or waxing, before soaking the client's feet in the foot spa basin.

2. After performing foot spa services on a client, including, without limitation, while feet are massaged, toes are painted or any other time after the client's feet are out of the foot spa:

(a) Drain the water from the foot spa basin or bowl and remove any visible debris;

(b) Clean the surfaces of the foot spa with soap or detergent, rinse with clean water and drain;

(c) After cleaning the foot spa, disinfect the surfaces of the foot spa with a disinfectant according to the manufacturer's directions on the label of the disinfectant and ensure that the surfaces remain wet with the disinfectant for at least 10 minutes or the time stated on the label of the disinfectant, whichever is shorter;

(d) For whirlpool foot spas, air-jet basins, "pipe-less" foot spas and other circulating spas, disinfect the foot spa by filling the basin with clean water, adding the appropriate amount of liquid disinfectant and turning the unit on to circulate the disinfectant for the entire contact time; and

(e) After disinfecting the foot spa, drain and rinse the foot spa with clean water.

3. Nightly:

(a) For whirlpool foot spas, air-jet basins, "pipe-less" foot spas and other circulating spas:

(1) Remove the filter screen, inlet jets and all other removable parts from the basin and clean out any debris trapped behind or in the removed parts;

(2) Using a brush, scrub the removed parts with soap or disinfectant following the appropriate cleaning directions for the soap or disinfectant;

(3) Rinse the removed parts with clean water and place the parts back into the basin;

(4) Fill the basin with clean water and add a disinfectant following the directions on the label of the disinfectant;

(5) Turn the unit on and circulate the system with the water and disinfectant for at least 10 minutes or the time stated on the label of the disinfectant, whichever is shorter; and

(6) After disinfection, drain, rinse and air dry the foot spa.

(b) For simple basins with no circulation:

(1) Drain the basin and remove any visible debris;

(2) Using a clean brush, scrub the bowl with soap or disinfectant following the appropriate cleaning directions for the soap or disinfectant;

(3) Rinse and drain;

(4) Disinfect the basin surfaces with a disinfectant according to the manufacturer's directions on the label of the disinfectant and ensure that the surfaces of the foot spa remain wet with the disinfectant for at least 10 minutes or the time stated on the label, whichever is shorter; and

(5) Drain the basin, rinse with clean water and let the foot spa air dry.

(Added to NAC by Bd. of Cosmetology by R064-15, eff. 12-21-2015)

**NAC 644.340 Disinfectants; instruments, implements and other tools; sterilization equipment; disposable articles; single-use items. ([NRS 644.110](#), [644.120](#))**

1. In each cosmetological establishment or school of cosmetology:

(a) Disinfectants must be available for immediate use at all times.

(b) All instruments, implements and other nonporous tools must be cleaned and disinfected in the following manner before each use:

(1) All hair and other adherent foreign material must be removed from the instrument, implement or other tool; and

(2) The instrument, implement or other tool must be:

(I) Thoroughly washed with soap and hot water;

(II) Rinsed in clear hot water;

(III) Thoroughly dried; and

(IV) Placed in a covered wet disinfector which is large enough for complete immersion of the instrument, implement or other tool, and which contains a disinfectant other than alcohol which is prepared and used as instructed on the manufacturer's label, including, without limitation, following safety precautions, requirements for dilution and contact time and requirements for proper disposal.

➡ Disinfectant solutions must be legibly labeled with the name of the disinfectant and the dilution of the disinfectant. Disinfectant solutions must be made daily and disposed of at the end

of the day or immediately if visible debris is present. If concentrated disinfectants must be diluted with water, measuring devices must be readily available and used to ensure an effective solution is made. A concentrated disinfectant not in the original container must be legibly labeled with the name of the disinfectant and use instructions if the original container with instructions is not available.

(c) All disinfected instruments, implements and other tools that are not in use and not in the process of wet disinfection in a wet disinfector must be stored in a clean, dry, closed container, drawer or storage unit that contains only disinfected instruments, implements and other tools.

(d) Any instrument, implement or other tool dropped on the floor or otherwise made unsanitary by use or other contamination must be deposited in a separate labeled container for soiled articles only and must not be used until it has been thoroughly disinfected as specified in paragraph (b). An original container for the disinfectant used that includes the manufacturer's label must be available at all times in the cosmetological establishment or school of cosmetology.

(e) All electrolysis instruments must be cleaned in the following manner after each use:

- (1) All foreign matter must be removed from the instrument; and
- (2) The instrument must be:
  - (I) Washed in soap and hot water; and
  - (II) Rinsed in hot water.

(f) After cleaning, all electrolysis instruments must be sterilized by one of the following methods:

- (1) Use of a steam sterilizer; or
- (2) Use of a dry sterilizer,

➔ which is registered and listed with the United States Food and Drug Administration, and is used according to the manufacturer's instructions.

(g) Sterilization equipment must be checked daily to ensure that it is reaching the temperature required by the manufacturer's instructions.

(h) All sterilized instruments and sanitary disposable articles must be stored in clean, closed containers, drawers or storage units which must be free of other articles.

(i) Single-use items must not be used on more than one client and must be disposed of after use on a client.

(j) All single-use items and other items that cannot be disinfected must be stored in closed containers at all times while not in use.

2. As used in this section, "single-use items" includes, without limitation, buffers, cotton balls, cotton strips and swabs, disposable gloves, emery boards, nail files, neck and muslin strips, paraffin liners, makeup applicators, mascara applicators, pedicure slippers, sleeves and sanders for electric files, foam buffer blocks, cushioned nail files, paper, sandpaper, wooden spatulas, cotton pads, gauze pads and toe separators or any other items made with paper, wood, foam or any porous materials.

[Bd. of Cosmetology, Nos. 14.5, 14.13 & 14.14, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R099-97, 2-25-98; R029-02, 7-19-2002; R035-08, 8-26-2008; R064-15, 12-21-2015)

**NAC 644.342 Clippers, vibrators and other electrical instruments.** ([NRS 644.110, 644.120](#)) Clippers, vibrators and other electrical instruments must be disinfected in the following manner before use:

1. All foreign matter must be removed; and
2. The instrument must be disinfected with a disinfectant that is used according to the manufacturer's instructions.

3. After the instrument is disinfected, the instrument may be stored on a clean towel and covered with a clean towel or hung on a hook. An electrical instrument with a cord may not be placed in a cabinet with disinfected nonelectrical instruments.



(Added to NAC by Bd. of Cosmetology by R029-02, eff. 7-19-2002; A by R064-15, 12-21-2015)

**NAC 644.343 Wax pots.** ([NRS 644.110](#), [644.120](#))

1. Wax pots must be kept covered and the exterior cleaned daily.
2. If debris is found in the wax pot or if the wax has been contaminated by contact with skin, unclean applicators or double-dipping, the wax pot must be emptied, the wax must be discarded and the pot must be disinfected.
3. Disposable spatulas and wooden sticks may be dipped into the wax only once and then must be discarded without using the other end.
4. Applicators may be dipped into the wax only once unless the wax is a single-service item and unused wax is discarded after each service.
5. Any surface touched by a used wax stick must be disinfected immediately after the service.

(Added to NAC by Bd. of Cosmetology by R064-15, eff. 12-21-2015)

**NAC 644.345 Cosmetics and other preparations.** ([NRS 644.110](#), [644.120](#)) In each cosmetological establishment or school of cosmetology:

1. Creams, lotions, cosmetics and other preparations used on clients must be kept in closed containers at all times when not in use.
2. Powder for the face must be kept in a closed container. The use of powder puffs is prohibited.
3. Lotions or liquids used on a client must be poured into a single-use or disinfected container and applied to the client using cotton or other type of applicator.
4. Creams or other semisolid substances must be dipped from the container with a single-use or disinfected instrument or spatula. Removing such substances with the fingers is prohibited.
5. Creams, lotions and other preparations must be removed by means of cotton, gauze, facial tissue or other single-use material.
6. Supplies used for service to clients must not be stored in any restroom.
7. Cosmetics used in the form of a pencil must be sharpened before each use. The sharpener must be cleaned and disinfected after each use.
8. All bottles and containers must be distinctly and correctly marked with a label which discloses its contents. All articles containing poisonous substances must be distinctly marked as such.
9. Readily accessible safety data sheets for each product used in the cosmetological establishment containing hazardous substances must be available to all licensees within the establishment at all times.

[Bd. of Cosmetology, Nos. 14.2 & 14.10, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R029-02, 7-19-2002; R064-15, 12-21-2015)

**NAC 644.347 Hot steamed towels.** ([NRS 644.110](#), [644.120](#)) A cosmetological establishment using hot steamed towels in services must:

1. Wash the towels with detergent and bleach and dry the towels on the “hot” setting.
2. Ensure that any person who prepares towels for the warmers first washes his or her hands or wears gloves.
3. Freshly prepare wet towels used in services each day and remove and launder unused wet towels at the end of each day.
4. Disinfect the towel warmers daily.

(Added to NAC by Bd. of Cosmetology by R064-15, eff. 12-21-2015)

**NAC 644.350 Cleansing of hands.** ([NRS 644.110](#), [644.120](#)) Every licensee and student in a cosmetological establishment or school of cosmetology must thoroughly wash his or her hands with liquid soap before and after serving each client and after each use of the restroom. Hand sanitizer must be made available at each station for use by the client. The use of hand sanitizer or gloves is not an acceptable substitute for hand washing for a licensee.

[Bd. of Cosmetology, No. 14.1, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R099-97, 2-25-98; R029-02, 7-19-2002; R064-15, 12-21-2015)

**NAC 644.355 Outer garments and footwear.** ([NRS 644.110](#), [644.120](#), [644.471](#))

1. In each cosmetological establishment or school of cosmetology, all licensees must wear clean outer garments and adequate footwear at all times when serving a client. Instruments or supplies must not be carried in or on a garment.

2. For the purposes of this section, “outer garments” means one garment or a combination of garments which provides adequate protection at least of the torso of the wearer’s body from debris, infectious or communicable diseases, infestations of animal parasites and chemical hazards which may injure the body through absorption, inhalation or physical contact. The term includes, without limitation:

- (a) Blouses;
- (b) Shirts;
- (c) Sweaters;
- (d) Smocks;
- (e) Dresses;
- (f) Pants;
- (g) Jeans;
- (h) Bermuda, walking or jean shorts; and
- (i) Tee shirts.

[Bd. of Cosmetology, No. 14.3, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; 11-1-95)

**NAC 644.360 Infectious or communicable diseases; infestations of animal parasites.** ([NRS 644.110](#), [644.120](#))

1. A person afflicted with an infectious or communicable disease which may be transmitted during the practice of cosmetology or with an infestation of animal parasites shall not work or train in a cosmetological establishment or school of cosmetology.

2. A cosmetological establishment or school of cosmetology shall not knowingly require, permit or allow a student or person licensed by the Board, to perform any service on a client who is afflicted with any infectious or communicable disease which may be transmitted to a person who is practicing cosmetology.

3. A cosmetological establishment or school of cosmetology shall not require or allow a student or licensee of the Board to perform any service on a client who is afflicted with an infestation of animal parasites.

4. Infections, communicable diseases and infestations of animal parasites which may be transmitted during the practice of cosmetology include, without limitation:

(a) Cold, influenza or other respiratory illness accompanied by a fever until 24 hours after the fever subsides.

(b) Streptococcal pharyngitis, commonly known as “strep throat,” until both 24 hours after treatment has started and 24 hours after the fever subsides.

(c) Purulent conjunctivitis, commonly known as “pink eye,” until examined by a physician and approved for return to work.

(d) Varicella, commonly known as “chicken pox,” until the lesions have dried and crusted.

(e) Mumps, until 9 days after the onset of parotid gland swelling.

(f) Tuberculosis, until examined by a physician and declared noninfectious.

(g) Impetigo, until 24 hours after treatment has begun.

(h) Pediculosis, commonly known as “head lice,” until the morning after the first treatment is received.

(i) Scabies, until after treatment has been completed.

→ Blood-borne diseases, such as hepatitis B, human immunodeficiency virus and acquired immune deficiency syndrome, are not considered infectious or communicable diseases for the purposes of this section.

[Bd. of Cosmetology, No. 14.12 subsec. 2, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R064-15, 12-21-2015)

**NAC 644.365 Clients with inflamed or infected skin or secretions.** ([NRS 644.110, 644.120](#)) In each cosmetological establishment or school of cosmetology:

1. A licensee shall not perform any service upon a surface of the skin or scalp of a client where such skin is inflamed or where a skin infection or eruption is present.

2. Licensees shall not perform any service on a client whose skin shows signs of secretion of any bodily fluids.

[Bd. of Cosmetology, No. 14.12 subsec. 1, eff. 12-3-80] — (NAC A 10-16-87; 5-15-92; R064-15, 12-21-2015)

**NAC 644.367 Restrictions on removal of skin.** ([NRS 644.110](#))

1. A cosmetologist or an aesthetician may remove the uppermost layers of the facial skin by any method or means if only the uppermost layers of the skin are removed and the removal is for the purpose of beautification.

2. In removing the uppermost layers of skin pursuant to this section, a cosmetologist or an aesthetician:

(a) May only use products that are commercially available for the removal of facial skin for beautification; and

(b) Shall not mix or combine any such products unless the mixing or combining is required pursuant to the manufacturer’s instructions for the products being mixed or combined.

3. A cosmetologist or an aesthetician shall not use any techniques or practices for the removal of skin that affect anything other than the uppermost layers of the facial skin.

(Added to NAC by Bd. of Cosmetology by R029-02, eff. 7-19-2002)

**NAC 644.368 Prohibited invasive procedures.** ([NRS 644.110](#))

1. Except as otherwise provided in this section, a licensee shall not perform any invasive procedure that includes, without limitation:

(a) The application of electricity for the sole purpose of contracting a muscle;

(b) The application of a topical lotion, cream or other substance which affects anything other than the uppermost layers of the skin;

(c) The penetration of the skin by needles;

(d) The abrasion of the skin below the uppermost layers of the skin; or

(e) The removal of a callus using an instrument, tool or other device that has a sharp edge, blade or point.

2. The provisions of paragraph (c) of subsection 1 do not apply to the use of electrolysis needles by a licensed electrologist.

3. As used in this section, “invasive procedure” means an act that affects the structure or function of the skin other than the uppermost layers of the skin.

(Added to NAC by Bd. of Cosmetology by R029-02, eff. 7-19-2002; A by R030-08, 9-18-2008; R064-15, 12-21-2015)

**NAC 644.370 Wigs and hairpieces.** ([NRS 644.110, 644.120](#)) Wigs and hairpieces must be cleaned with a disinfecting agent approved by the Board. A microwave oven used for wig styling may be used only for that purpose.



[Bd. of Cosmetology, No. 14.19, eff. 12-3-80] — (NAC A 5-15-92; R092-06, 9-18-2006; R064-15, 12-21-2015)

**NAC 644.372 Cosmetic products: Prohibited products and uses.** ([NRS 644.110](#)) A cosmetological establishment and a school of cosmetology shall not:

1. Have on its premises any cosmetic products that contain a hazardous substance which has been banned by the United States Food and Drug Administration for use in cosmetic products; or
2. Use a cosmetic product in a manner that has not been approved by the Food and Drug Administration.

(Added to NAC by Bd. of Cosmetology by R029-02, eff. 7-19-2002)

**NAC 644.373 Prohibited devices: Removal from premises; punishment.** ([NRS 644.110](#), [644.120](#))

1. Except for designated retail sales areas for the sale of products to the public, a licensed cosmetological establishment shall not have the following devices within the licensed areas of the cosmetological establishment:

(a) Skin cutting equipment, including razor-type callus shavers, credo blades, rasps or graters and other implements which are used to remove corns or calluses by cutting below the skin surface;

(b) Methyl methacrylate liquid monomers, also known as MMA, and fumigants, formalin tablets or formalin liquids; or

(c) Any device that allows a licensee to perform a service outside of the scope of services of a person licensed, certified or registered pursuant to this chapter or [chapter 644](#) of NRS.

2. If any device described in subsection 1 is found in a cosmetological establishment upon inspection by the staff of the Board, the device must be removed:

(a) Immediately from the premises if the device is not permanently mounted and is small enough to fit within the vehicle of the licensee; or

(b) Within 48 hours from the premises if the device must be uninstalled or is too large to fit in the vehicle of the licensee.

3. If a device described in subsection 1 is found in a cosmetological establishment, the owner of the cosmetological establishment is subject to punishment in accordance with [NAC 644.700](#).

(Added to NAC by Bd. of Cosmetology by R064-15, eff. 12-21-2015)

**NAC 644.374 Place of practice: Practice by holder of limited license; services offered; use of appointment book or system.** ([NRS 644.110](#), [644.315](#))

1. Except as otherwise provided in this section, a person who holds a limited license issued pursuant to [NRS 644.315](#) shall not engage in the practice of cosmetology unless the services are performed in a licensed cosmetological establishment.

2. A person who holds a limited license issued pursuant to [NRS 644.315](#) may:

(a) Practice cosmetology only at:

- (1) A resort hotel;
- (2) A location at which a wedding is being officiated;
- (3) A private home;
- (4) A convention center;
- (5) A fair;
- (6) A festival; or
- (7) A commercial, public or private building.

(b) Offer only the following services:

(1) Techniques which result in tension on hair strands such as twisting, wrapping, weaving, extending, locking or braiding of the hair by hand and which do not include the

application of dyes, reactive chemicals or other preparations to alter the color or to straighten, curl or alter the structure of the hair;

(2) The nonpermanent manipulation of the hair, such as styling, wrapping, arranging, braiding, twisting, weaving, extending, fusing, dressing, curling, setting or straightening;

(3) The application of cosmetic products and hair-arranging services which:

(I) Do not include shampooing, haircutting, hair coloring, permanent waving of the hair, hair relaxing or the removal of hair; and

(II) Are provided using either disposable hair-arranging implements or a wet or dry disinfecting system approved by the United States Environmental Protection Agency;

(4) Application of makeup to the skin;

(5) Application of false eyelashes; or

(6) Removal of existing nail polish from and application of nail polish to the nails.

3. A person who engages in the practice of cosmetology pursuant to subsection 2 shall record the name of the client and the address at which services are performed in an appointment book or system which must remain at the cosmetological establishment or permanent place of business and be made available upon request to any investigator or inspector of the Board.

4. Nothing in this section shall be construed to prohibit a person who holds a limited license issued pursuant to [NRS 644.315](#) from engaging in the practice of cosmetology within the scope of their valid license to practice cosmetology within a licensed cosmetological establishment.

(Added to NAC by Bd. of Cosmetology by R064-15, eff. 12-21-2015)

**NAC 644.375 Place of practice: Private residences. ([NRS 644.110](#), [644.120](#))**

1. Cosmetology may be practiced in private residences only when the rooms used for the practice are completely separate from any rooms used for living quarters. The rooms used for the practice must be completely and permanently sealed off from the living quarters so that the only entrances to and exits from that portion of the residence used for the practice of cosmetology are from the street. A room used in a private residence for the practice of cosmetology must meet all requirements for cosmetological establishments in [NAC 644.310](#) to [644.385](#), inclusive, and must:

(a) Have a ceiling that is not less than 8 feet in height;

(b) Be equipped to give proper service to clients;

(c) Have toilets which are separate from any toilets used by residents; and

(d) Have a sign outside of the building denoting the name of the cosmetological establishment.

2. A private residence in which cosmetology is practiced must be located in a geographical area in which the practice of cosmetology is allowed by local zoning ordinances. If the private residence is not located in such an area, the owner must receive a variance from the appropriate local governing body before applying to the Board for a license for the cosmetological establishment.

[Bd. of Cosmetology, No. 14.9, eff. 12-3-80] — (NAC A 5-15-92; R099-97, 2-25-98)

**NAC 644.380 Place of practice: Licensed cosmetological establishment; exceptions. ([NRS 644.110](#))**

1. Except as otherwise provided in this section and [NAC 644.385](#), a person licensed to practice cosmetology may practice only in a currently licensed cosmetological establishment.

2. In the event of an emergency, a person so licensed may practice elsewhere as the circumstances warrant if the licensee notifies and receives approval from the Board before engaging in that practice. The notification to the Board must include:

(a) The name of the person to receive the service;

(b) A description of the type of service to be provided;

(c) The address or the location at which the service will be provided;

(d) The date and time when the service will be provided; and

(e) The name, type of license and number of the license of the licensee.

3. A person may engage in emergency practice only if he or she regularly operates or is employed in a cosmetological establishment. A person who engages in an emergency practice shall indicate in the appointment book of the establishment that the appointment is an out-call service.

4. A licensee may perform services outside of a licensed cosmetological establishment if the customer to receive the services has received a letter from his or her doctor which states that the customer is under the long-term care of the doctor and such services can be performed safely, in consideration of the medical condition of the customer. Services provided by a licensee to such a customer must be provided in compliance with this section.

[Bd. of Cosmetology, No. 16, eff. 12-3-80] — (NAC A 5-15-92; R099-97, 2-25-98; R064-15, 12-21-2015)

**NAC 644.385 Place of practice: Donated services.** ([NRS 644.110](#)) A cosmetologist, aesthetician, hair designer or nail technologist licensed in Nevada may perform services outside a cosmetological establishment if the services are being donated to a charitable organization and prior written approval has been given by the Board. Every possible effort must be made to ensure that proper sanitation is maintained.

[Bd. of Cosmetology, No. 15, eff. 12-3-80] — (NAC A 5-15-92; R092-06, 9-18-2006)

#### DISCIPLINARY ACTIONS

**NAC 644.700 Schedule of fines; disciplinary hearings.** ([NRS 644.110](#), [644.430](#))

1. The Board adopts the following schedule of fines for any violation of the provisions listed:

Violation	First Offense	Second Offense	Third Offense
<b>COSMETOLOGICAL ESTABLISHMENT</b>			
Operating an establishment without a license.....	\$1,000	\$1,500	\$2,000
Operating an establishment with an expired license.....	200	500	1,000
Allowing a licensee to work with an expired license (per person)...	200	500	1,000
Failure to display license in place of business.....	200	500	1,000
Allowing an unlicensed person to work in an establishment.....	1,000	1,500	2,000
Operating an establishment without supervision by a licensed person.....	200	500	1,000
Operating an establishment with an animal on the premises.....	200	500	1,000
Refusal to allow staff of the Board to inspect any licensed space..	1,000	2,000	5,000
<b>COSMETOLOGIST OR OTHER LICENSED OR REGISTERED NATURAL PERSON</b>			
Practicing with an expired license or registration.....	200	500	1,000
Failure to display license or registration at a work station.....	200	500	1,000
Failure to practice in a cosmetological establishment, unless the person holds a limited license to do so.....	500	1,000	2,000
Failure to comply with <a href="#">NAC 644.368</a> .....	200	500	1,000
Using advertisements which contain knowingly false or deceptive statements or otherwise engaging in acts described in subsection 2 or 3 of <a href="#">NAC 644.711</a> .....	100	200	500
<b>APPRENTICE</b>			
Failure to display a certificate of registration in plain view.....	100	500	1,000

Violation	First Offense	Second Offense	Third Offense
Failure to wear a badge while working.....	100	500	1,000
Working on the public without a supervising cosmetologist, hair designer, aesthetician, nail technologist or electrologist, as appropriate, present.....	500	1,000	2,000
<b>SUPERVISOR OF AN APPRENTICE</b>			
Allowing an apprentice to work if his or her certificate of registration is not displayed in plain view.....	100	500	1,000
Allowing an apprentice to work if the apprentice is not wearing his or her badge.....	100	500	1,000
Allowing an apprentice to work on the public without being present to supervise the apprentice.....	500	1,000	2,000
Failure to comply with <a href="#">NAC 644.169</a> .....	500	1,000	
<b>SUPERVISOR OF AN ELECTROLOGIST'S APPRENTICE</b>			
Failure to comply with <a href="#">NAC 644.267</a> .....	500	1,000	
<b>MAKEUP ARTIST</b>			
Failure to meet a requirement to engage in the practice of makeup artistry in this State.....	200	500	1,000
<b>SCHOOL OF COSMETOLOGY</b>			
Failure to comply with <a href="#">NRS 644.395</a> , subsection 1 of <a href="#">NRS 644.400</a> , paragraph (b) of subsection 2 of <a href="#">NRS 644.400</a> or <a href="#">NAC 644.085</a> .....	200	500	1,000
<b>ANY PERSON</b>			
Practicing without a license or certificate.....	1,000	1,500	2,000
Copying or altering a license or certificate for purposes of fraud, deception, misrepresentation or other illegal purpose.....	200	500	1,000
Using a copied or altered license or certificate for purposes of fraud, deception, misrepresentation or other illegal purpose.....	1,000	2,000	5,000

2. A licensee who violates a provision of [NAC 644.307](#) to [644.355](#), inclusive, will be fined \$100 for each violation unless, in the judgment of the Executive Director, the violation warrants a disciplinary hearing before the Board.

3. A person who violates a provision of this chapter or [chapter 644](#) of NRS for which this section does not provide a specific fine, including, without limitation, a second or subsequent violation, may be:

- (a) Ordered to appear at a disciplinary hearing before the Board; and
- (b) Punished by the Board as set forth in [NRS 644.430](#).

(Added to NAC by Bd. of Cosmetology, eff. 6-18-91; A by R029-02, 7-19-2002; R092-06, 9-18-2006; R030-08, 9-18-2008; R106-12, 10-24-2014; R064-15, 12-21-2015)

**NAC 644.705 Acts constituting gross malpractice.** ([NRS 644.110](#), [644.430](#)) For the purposes of [NRS 644.430](#):

1. A violation of any provision of [NRS 644.470](#) or [NAC 644.340](#), [644.350](#), [644.360](#) to [644.368](#), inclusive, or [644.372](#); or

2. Malpractice where the failure to exercise the requisite degree of care, skill or knowledge amounts to:

(a) A conscious indifference to the consequences which may result from the malpractice; and

(b) A disregard for and indifference to the safety and welfare of the client,

↪ constitutes gross malpractice.

[Bd. of Cosmetology, No. 14.7, eff. 12-3-80] — (NAC A by R030-08, 9-18-2008; R106-12, 10-24-2014)

**NAC 644.711 Grounds for disciplinary action.** ([NRS 644.110](#), [644.430](#)) A licensee is subject to disciplinary action if the licensee:

1. Engages in unfair or unjust practices, methods or dealings, including, without limitation:

(a) Copying or altering a license for the purposes of fraud, deception, misrepresentation or other illegal purpose in violation of [NRS 644.476](#).

(b) Using a license that has been copied or altered for the purposes of fraud, deception, misrepresentation or other illegal purpose.

(c) Misrepresenting his or her qualifications to the public.

(d) Performing or offering to perform the functions of a licensee under a false or assumed name or social security number.

(e) Selling or offering to sell his or her license.

(f) Failing to cooperate with an investigation conducted by the Board.

(g) Failing to respond to communications from the Board.

(h) Providing false information to the Board.

2. Uses advertisements which contain knowingly false or deceptive statements, including, without limitation, using the terms “expert,” “advanced” or “medical” in connection with any description of a licensee’s practice in any branch of cosmetology or otherwise holding the licensee out to the public as an expert, advanced or medical practitioner of any branch of cosmetology.

(Added to NAC by Bd. of Cosmetology by R030-08, eff. 9-18-2008; A by R106-12, 10-24-2014; R064-15, 12-21-2015)